

REMARKS

This Application has been carefully in light of the Final Action mailed March 16, 2004. In order to advance prosecution of this Application, Claims 1, 2, 5, 7, 8, 15, 21, 22, 28-31, 34-39, 44-46, 47-50, 52, 53, 60, 64, 66, 69, 71, and 76. Applicant respectfully requests reconsideration of the pending claims and favorable action in this case.

Claims 39 and 41 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Mikkonen. Independent Claim 39 recites ". . . a virtual path label generated upon receipt of the radio frame from the mobile device for routing the radio frame over a wireless virtual path established for the call to a wireless router for call processing . . ." By contrast, the Mikkonen patent does not generate a virtual path label upon receipt of the radio frame from the mobile device nor does the Mikkonen patent route the radio frame over a wireless virtual path established for the call according to the virtual path label as required by the claimed invention. Therefore, Applicant respectfully submits that Claims 39 and 41 are patentably distinct from the Mikkonen patent.

Claims 1-5, 7, 8, 10-12, 14, 15, 17-19, 21, 22, and 24-30 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Mikkonen in view of Ahmed, et al. and Hamdi, et al. and further in view of Schoen, et al. Independent Claim 1 recites ". . . a virtual path generator operable to configure wireless virtual paths for the call in the wireline network to the at least one secondary wireless router for soft handoff processing for the call to the at least one secondary wireless router, wherein the virtual paths are multi-protocol label switched path (MPLS), the traffic controller operable to route wireline packets and radio frames to the at least one secondary wireless router over the wireless virtual paths in

accordance with the labels associated with the wireline packets and the radio frames." The Examiner readily admits that the Mikkonen patent fails to disclose an ability to generate wireless virtual paths. The Ahmed, et al. patent merely discloses the use of an anchor node and an addressing scheme to allow communication between nodes. The Schoen, et al. and Hamdi, et al. articles are silent as to these features. Thus, none of the cited references generates wireless virtual paths for the call as required in the claimed invention nor the use of labels generated upon receipt of a wireless packet or radio frame for routing over the wireless virtual paths to facilitate soft handoff of a call. Therefore, Applicant respectfully submits that Claims 1-5, 7, 8, 10-12, 14, 15, 17-19, 21, 22, and 24-30 are patentably distinct from the proposed Mikkonen - Ahmed, et al. - Hamdi, et al. - Schoen, et al. combination.

Claims 31, 33, 34-38, 42-46, 48-50, 52-59, 60, 62-67, 69-72, and 76 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Mikkonen in view of Ahmed, et al. Independent Claims 31, 44, 50, 60, 64, 71, and 76 recite in general a wireless virtual paths established for a call the wireline protocol traffic and the wireless protocol traffic including labels generated upon receipt of the wireline protocol traffic and the wireless protocol traffic for routing over the first and second wireless virtual paths to facilitate soft handoff of a call. By contrast, the Mikkonen and Ahmed, et al. patents fail to disclose wireless virtual paths established for a call for routing wireline and wireless traffic protocols according to labels generated upon receipt of the traffic. Therefore, Applicant respectfully submits that Claims 31, 33, 34-38, 42-46, 48-50, 52-59, 60, 62-67, 69-

72, and 76 are patentably distinct from the proposed Mikkonen - Ahmed, et al. combination.

Claims 13 and 16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Mikkonen in view of Ahmed, et al. and Hamdi, et al. and further in view of Schoen, et al. and Perkins. Independent Claim 1 has been shown above to be patentably distinct from the proposed Mikkonen - Ahmed, et al. - Hamdi, et al. - Schoen, et al. combination. Therefore, Applicant respectfully submits that Claims 13 and 16 are patentably distinct from the proposed Mikkonen - Ahmed, et al. - Hamdi, et al. - Schoen, et al. - Perkins combination.

Attached herewith is a check in an amount of \$770.00 made payable to the "Commissioner of Patents and Trademarks" to satisfy the request for continued examination fee of 37 C.F.R. §1.17(e).

Applicant respectfully requests a one month extension of time for filing this Request for Continued Examination. Attached herewith is a Notification of Extension of Time with check in support thereof.

CONCLUSION

Applicant has now made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for other reasons clear and apparent, Applicant respectfully requests reconsideration and allowance of the pending claims.

The Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.

Attorneys for Applicant

A handwritten signature in black ink, appearing to read 'Charles S. Fish', is written over the printed name.

Charles S. Fish

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July 16, 2004

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